

# PATENT COOPERATION TREATY

From the INTERNATIONAL SEARCHING AUTHORITY

To:

BOZICEVIC, FIELD & FRANCIS LLP  
 Attn. Francis, Carol L.  
 200 Middlefield Road  
 Suite 200  
 Menlo Park, CA 94025  
 UNITED STATES OF AMERICA

**PCT**

## NOTIFICATION OF TRANSMITTAL OF THE INTERNATIONAL SEARCH REPORT OR THE DECLARATION

(PCT Rule 44.1)

		Date of mailing (day/month/year)  06/02/2002
Applicant's or agent's file reference  06514/089W01		FOR FURTHER ACTION      See paragraphs 1 and 4 below
International application No.  PCT/US 01/ 11211		International filing date (day/month/year)  05/04/2001
Applicant  INCYTE PHARMACEUTICALS, INC.		

1.  The applicant is hereby notified that the International Search Report has been established and is transmitted herewith.

**Filing of amendments and statement under Article 19:**

The applicant is entitled, if he so wishes, to amend the claims of the International Application (see Rule 46):

**When?** The time limit for filing such amendments is normally 2 months from the date of transmittal of the International Search Report; however, for more details, see the notes on the accompanying sheet.

**Where?** Directly to the International Bureau of WIPO  
 34, chemin des Colombettes  
 1211 Geneva 20, Switzerland  
 Facsimile No.: (41-22) 740.14.35

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For more detailed instructions, see the notes on the accompanying sheet.

2.  The applicant is hereby notified that no International Search Report will be established and that the declaration under Article 17(2)(a) to that effect is transmitted herewith.

3.  With regard to the protest against payment of (an) additional fee(s) under Rule 40.2, the applicant is notified that:

the protest together with the decision thereon has been transmitted to the International Bureau together with the applicant's request to forward the texts of both the protest and the decision thereon to the designated Offices.

no decision has been made yet on the protest; the applicant will be notified as soon as a decision is made.

4. Further action(s): The applicant is reminded of the following:

Shortly after 18 months from the priority date, the international application will be published by the International Bureau. If the applicant wishes to avoid or postpone publication, a notice of withdrawal of the international application, or of the priority claim, must reach the International Bureau as provided in Rules 90bis.1 and 90bis.3, respectively, before the completion of the technical preparations for international publication.

Within 19 months from the priority date, a demand for international preliminary examination must be filed if the applicant wishes to postpone the entry into the national phase until 30 months from the priority date (in some Offices even later).

Within 20 months from the priority date, the applicant must perform the prescribed acts for entry into the national phase before all designated Offices which have not been elected in the demand or in a later election within 19 months from the priority date or could not be elected because they are not bound by Chapter II.

Name and mailing address of the International Searching Authority  European Patent Office, P.B. 5818 Patentlaan 2 NL-2280 HV Rijswijk Tel. (+31-70) 340-2040, Tx. 31 651 epo nl, Fax: (+31-70) 340-3016	Authorized officer  Henriëtte Huysing-Solles
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## PATENT COOPERATION TREATY

## PCT

## INTERNATIONAL SEARCH REPORT

(PCT Article 18 and Rules 43 and 44)

Applicant's or agent's file reference <b>06514/089W01</b>	<b>FOR FURTHER ACTION</b>	see Notification of Transmittal of International Search Report (Form PCT/ISA/220) as well as, where applicable, item 5 below.
International application No. <b>PCT/US 01/ 11211</b>	International filing date (day/month/year) <b>05/04/2001</b>	(Earliest) Priority Date (day/month/year) <b>14/04/2000</b>
Applicant <b>INCYTE PHARMACEUTICALS, INC.</b>		

This International Search Report has been prepared by this International Searching Authority and is transmitted to the applicant according to Article 18. A copy is being transmitted to the International Bureau.

This International Search Report consists of a total of 3 sheets.  
 It is also accompanied by a copy of each prior art document cited in this report.

## 1. Basis of the report

- a. With regard to the language, the international search was carried out on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.
  - the international search was carried out on the basis of a translation of the international application furnished to this Authority (Rule 23.1(b)).
- b. With regard to any nucleotide and/or amino acid sequence disclosed in the international application, the international search was carried out on the basis of the sequence listing :
  - contained in the international application in written form.
  - filed together with the international application in computer readable form.
  - furnished subsequently to this Authority in written form.
  - furnished subsequently to this Authority in computer readable form.
  - the statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
  - the statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished

2.  Certain claims were found unsearchable (See Box I).3.  Unity of invention is lacking (see Box II).

## 4. With regard to the title,

- the text is approved as submitted by the applicant.
- the text has been established by this Authority to read as follows:

## 5. With regard to the abstract,

- the text is approved as submitted by the applicant.
- the text has been established, according to Rule 38.2(b), by this Authority as it appears in Box III. The applicant may, within one month from the date of mailing of this international search report, submit comments to this Authority.

## 6. The figure of the drawings to be published with the abstract is Figure No.

- as suggested by the applicant.
- because the applicant failed to suggest a figure.
- because this figure better characterizes the invention.

1 None of the figures.

## INTERNATIONAL SEARCH REPORT

International Application No

PCT/US 01/11211

A. CLASSIFICATION OF SUBJECT MATTER  
 IPC 7 C12N15/10 C12Q1/68 C12P19/34

According to International Patent Classification (IPC) or to both national classification and IPC

## B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)  
 IPC 7 C12N C12Q C12P

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the International search (name of data base and, where practical, search terms used)

WPI Data, PAJ, CAB Data, SEQUENCE SEARCH, BIOSIS, EPO-Internal

## C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
A	WO 00 00646 A (SCRIPPS RESEARCH INST ;ERLANDER MARK G (US); HASEL KARL W (US); SU) 6 January 2000 (2000-01-06) the whole document ---	
A	WO 98 51789 A (DISPLAY SYSTEMS BIOTECH APS ;WARTHOE PETER ROLF (DK)) 19 November 1998 (1998-11-19) the whole document ---	
A	WO 95 13369 A (SCRIPPS RESEARCH INST) 18 May 1995 (1995-05-18) the whole document ---	
A	WO 94 26928 A (MAX PLANCK GESELLSCHAFT ;BAUER DAVID (DE); STRAUSS MICHAEL (DE)) 24 November 1994 (1994-11-24) the whole document ---	
		-/-



Further documents are listed in the continuation of box C.



Patent family members are listed in annex.

## \* Special categories of cited documents :

- \*A\* document defining the general state of the art which is not considered to be of particular relevance
- \*E\* earlier document but published on or after the international filing date
- \*L\* document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)
- \*O\* document referring to an oral disclosure, use, exhibition or other means
- \*P\* document published prior to the international filing date but later than the priority date claimed

- \*T\* later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention
- \*X\* document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone
- \*Y\* document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art.
- \*&\* document member of the same patent family

Date of the actual completion of the international search

31 January 2002

Date of mailing of the international search report

06/02/2002

Name and mailing address of the ISA  
 European Patent Office, P.B. 5818 Patentlaan 2  
 NL - 2280 HV Rijswijk  
 Tel. (+31-70) 340-2040, Tx. 31 651 epo nl,  
 Fax: (+31-70) 340-3016

Authorized officer

Hornig, H

## INTERNATIONAL SEARCH REPORT

International Application No

PCT/US 01/11211

## C.(Continuation) DOCUMENTS CONSIDERED TO BE RELEVANT

Category °	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
A	WO 93 18176 A (DANA FARBER CANCER INST INC) 16 September 1993 (1993-09-16) the whole document -----	
A	FISLAGE R ET AL: "PRIMER DESIGN FOR A PROKARYOTIC DIFFERENTIAL DISPLAY RT-PCR" NUCLEIC ACIDS RESEARCH, OXFORD UNIVERSITY PRESS, SURREY, GB, vol. 25, no. 9, 1997, pages 1830-1835, XP000672905 ISSN: 0305-1048 the whole document -----	
P,A	WO 00 56936 A (BENTLEY WILLIAM E ;GILL RYAN T (US); UNIV MARYLAND BIOTECH INST (U) 28 September 2000 (2000-09-28) the whole document -----	

## INTERNATIONAL SEARCH REPORT

Information on patent family members

International Application No

PCT/US 01/11211

Patent document cited in search report		Publication date		Patent family member(s)	Publication date
WO 0000646	A	06-01-2000	US AU EP NO WO	6110680 A 4852199 A 1092045 A1 20006703 A 0000646 A1	29-08-2000 17-01-2000 18-04-2001 28-02-2001 06-01-2000
WO 9851789	A	19-11-1998	AT AU DE WO DK EP EP JP US	205879 T 7206498 A 69801749 D1 9851789 A2 981609 T3 1138764 A2 0981609 A2 2001515362 T 6261770 B1	15-10-2001 08-12-1998 25-10-2001 19-11-1998 12-11-2001 04-10-2001 01-03-2000 18-09-2001 17-07-2001
WO 9513369	A	18-05-1995	US AU AU AU AU CA EP FI JP NO US WO US US US US	5459037 A 687127 B2 1055195 A 718304 B2 6711098 A 2174966 A1 0726946 A1 962000 A 9509306 T 961902 A 6030784 A 9513369 A1 6096503 A 6110680 A 6309834 B1 5807680 A	17-10-1995 19-02-1998 29-05-1995 13-04-2000 09-07-1998 18-05-1995 21-08-1996 10-05-1996 22-09-1997 12-07-1996 29-02-2000 18-05-1995 01-08-2000 29-08-2000 30-10-2001 15-09-1998
WO 9426928	A	24-11-1994	DE AT WO EP	4317414 C1 150797 T 9426928 A2 0698122 A1	21-04-1994 15-04-1997 24-11-1994 28-02-1996
WO 9318176	A	16-09-1993	US CA EP JP JP WO US US US	5262311 A 2102784 A1 0592626 A1 2843675 B2 7500735 T 9318176 A1 5599672 A 5665547 A 5965409 A	16-11-1993 12-09-1993 20-04-1994 06-01-1999 26-01-1995 16-09-1993 04-02-1997 09-09-1997 12-10-1999
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